

**COPY**

Docket No.

98-043

**Declaration and Power of Attorney For Patent Application****English Language Declaration**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND APPARATUS FOR DETERMINING A PROGRESSIVE DISCOUNT FOR A CUSTOMER  
BASED ON THE FREQUENCY OF THE CUSTOMER'S TRANSACTIONS**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on October 5, 1998 as United States Application No. or PCT International  
Application Number 09/166,267  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or plant breeder's rights certificate(s), or 365(a) of any PCT International application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)
_____	_____
(Application Serial No.)	(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

09/049,297	March 27, 1998	Pending
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing Date)	(Status)
		(patented, pending, abandoned)

The undersigned inventor(s) is(are) hereby warned that willful false statements (including willfully falsifying, concealing, or covering up by any trick, scheme, or device a material fact; making any materially false, fictitious, or fraudulent statement or representation; or making or using any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry) and the like are punishable by fine or imprisonment of up to five years, or both (18 U.S.C. Section 1001(a)) and may jeopardize the validity of the application or any patent issuing thereon.

With understanding of the prohibitions of Section 1001(a) and knowledge of the punishment for violation of Section 1001(a), the undersigned inventor(s) hereby assert(s) that all statements made herein of his/her(their) own knowledge are true and that all statements made on information and belief are believed to be true.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (list name and registration number)

CUSTOMER NO. 22927

Send Correspondence to: Michael D. Downs  
Five High Ridge Park  
Stamford, CT 06905

Direct Telephone Calls to: (name and telephone number)  
Michael D. Downs (203) 461-7292

Full name of sole or first inventor	Jay S. WALKER		
Sole or first inventor's signature			Date October / , 2003
Residence	260 Oscaleta Road, Ridgefield, CT 06877		
Citizenship	U.S.A.		
Post Office Address	s/a		

Full name of second inventor, if any	Andrew S. VAN LUCHENE		
Second inventor's signature			Date October / , 2003
Residence	298 Elizabeth, 5th Floor, New York, NY 10012		
Citizenship	U.S.A.		
Post Office Address	s/a		

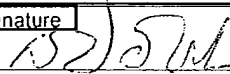
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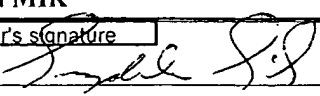
CUSTOMER NO. 22927

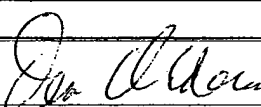
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Fourth inventor's signature	Date
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Full name of fifth inventor, if any	
Fifth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	

Full name of sixth inventor, if any	
Sixth inventor's signature	Date
Residence	
Citizenship	
Post Office Address	